

Federal Maritime Commission

§ 572.706

must be promptly informed of any such voluntary disclosure.

[49 FR 45431, Nov. 15, 1984, as amended at 59 FR 67231, Dec. 29, 1994; 61 FR 11576, Mar. 21, 1996; 61 FR 40530, Aug. 5, 1996]

EFFECTIVE DATE NOTE: At 61 FR 11576, Mar. 21, 1996, §572.701(a) was added, and the effective date was stayed until further notice.

§ 572.702 Agreements subject to Monitoring Report requirements.

(a) Agreements subject to the Monitoring Report requirements of this subpart are divided into three classes, Class A, Class B and Class C. When used in this subpart:

(i) *Class A agreement* means an agreement that is subject to the definition set forth in §572.502(a) and has market shares of 50 percent or more in half or more of its sub-trades.

(2) *Class B agreement* means an agreement that is subject to the definition set forth in §572.502(a) but does not have market shares of 50 percent or more in half or more of its sub-trades.

(b) Classification of an agreement as “Class A” or “Class B” for purposes of its reporting obligations under this subpart shall be done by the Bureau of Economics and Agreement Analysis, based in the first instance on the market share data reported on the agreement’s Information Form pursuant to §572.503, or on similar data otherwise obtained. Thereafter, before the beginning of each calendar year, the Bureau of Economics and Agreement Analysis shall determine whether the agreement should be classified as “Class A” or “Class B” for that year, based on the market share data reported on the agreement’s quarterly Monitoring Report for the previous second quarter (April–June).

(c) *Class C agreement* means an agreement that is subject to the definition set forth in §572.502(b).

[61 FR 11576, Mar. 21, 1996, as amended at 61 FR 40531, Aug. 5, 1996]

EFFECTIVE DATE NOTE: 1. At 61 FR 11564, 11576, Mar. 21, 1996, §572.702 was added, and the effective date was stayed until further notice.

2. At 61 FR 40531, Aug. 5, 1996, §572.702(b) was revised. For the convenience of the reader, the superseded text is set forth as follows:

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(b) * * * Thereafter, at the beginning of each calendar year, the Bureau of Economics and Agreement Analysis shall determine whether the agreement should be classified as “Class A” or “Class B” for that year, based on the market share data reported on the agreement’s quarterly Monitoring Report for the third quarter (July–September) of the previous calendar year.

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§ 572.703 Monitoring report for Class A agreements.

The Monitoring Report form for Class A agreements, with accompanying instructions that are intended to facilitate the completion of the Report, is set forth in appendix C of this part. The instructions should be read in conjunction with the Shipping Act of 1984 and with 46 CFR part 572.

[61 FR 11577, Mar. 21, 1996]

§ 572.704 Monitoring report for Class B agreements.

The Monitoring Report form for Class B agreements, with accompanying instructions that are intended to facilitate the completion of the Report, is set forth in appendix D of this part. The instructions should be read in conjunction with the Shipping Act of 1984 and with 46 CFR part 572.

[61 FR 11577, Mar. 21, 1996]

§ 572.705 Monitoring report for Class C agreements.

The Monitoring Report form for Class C agreements, with accompanying instructions that are intended to facilitate the completion of the Report, is set forth in appendix E of this part. The explanation and instructions should be read in conjunction with the Shipping Act of 1984 and 46 CFR part 572.

[61 FR 11577, Mar. 21, 1996]

§ 572.706 Filing of minutes—including shippers’ requests and complaints, and consultations.

(a) *Meetings*. For purposes of this subpart, the term *meeting* shall include